

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-mj-8440-BER

UNITED STATES OF AMERICA

v.

MESHACK NEWTON,

Defendant. /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? Yes No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? Yes No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? Yes No
4. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? Yes No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

BY: Daniel E. Funk

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UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America

v.

MESHACK NEWTON,

)

Case No. 24-mj-8440-BER

*Defendant(s)***FILED BY TM D.C.****Sep 15, 2024****ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 14, 2024 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. 1324(a)(1)(A)(iv)

Encouraging and inducing an alien to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entering, and residence would be in violation of the law.

This criminal complaint is based on these facts:

Please see the affidavit of Homeland Security Investigations ("HSI") Special Agent Scott Partin, which is attached hereto and incorporated herein by reference.

 Continued on the attached sheet.*Scott Partin**Complainant's signature*HSI Special Agent Scott Partin*Printed name and title**Bruce Reinhart**Judge's signature*Date: 09/15/2024City and state: West Palm Beach, FLHon. Bruce E. Reinhart, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Scott Partin, first being duly sworn, does hereby depose and state as follows:

1. This affidavit is submitted in support of a criminal complaint charging Meshack NEWTON, a citizen and national of the Bahamas, with encouraging and inducing an alien to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entering, and residence would be in violation of the law, in violation of Title 8, United States Code, Section 8 U.S.C. 1324(a)(1)(A)(iv).

2. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”) and have been so employed since April 2003, duly appointed according to law, and acting as such. As a Special Agent with HSI, I have conducted routine investigations to include immigration violations, document fraud, money laundering, drug smuggling, and the smuggling of contraband into the United States. I have received specialized training regarding violations of statutes relating to Title 8 of the United States Code. I have approximately 27 years of law enforcement experience at the federal, state, and local level. I graduated from the Federal Law Enforcement Training Center in September of 2003 as a Special Agent. I am currently assigned to the HSI Assistant Special Agent in Charge (ASAC) office in West Palm Beach, Florida. As part of my duties and responsibilities as a HSI Special Agent, I have become familiar with the criminal offenses set forth in Title 8 of the United States Code, the Immigration and Nationality Act. Moreover, I have conducted investigations involving human smuggling and their related criminal activity and have become familiar with the methods and schemes employed by individuals who smuggle persons into the United States.

3. The facts set forth in this affidavit are based on my personal knowledge, information obtained from others, including other law enforcement officers, my review of documents, pictures, GPS data, text messages and computer records. Because this affidavit is

being submitted for the limited purpose of establishing probable cause to support a criminal complaint, I have not included every fact known to me and law enforcement, rather, I have included only those facts necessary to establish probable cause.

PROBABLE CAUSE

4. On September 14, 2024, at approximately 0320 hours, while on patrol approximately two miles east of the Breaker's Hotel in the Atlantic Ocean, a Palm Beach County Sheriff's Office ("PBSO") marine enforcement unit observed a suspicious vessel traveling west. Deputies encountered the vessel, initiated a stop, and identified the boat captain as Meshack NEWTON, who is a citizen and national of the Bahamas. NEWTON was cooperative with law enforcement. Deputies observed seven other migrants aboard the vessel and notified the U.S Coast Guard (USCG) for assistance. The passengers included four Haitian nationals (one male and three females), two Jamaican nationals (one adult male and one juvenile male) and one Columbian national female.

5. USCG responded and took custody of the eight undocumented, non-citizen, migrants. PBSO towed the vessel to the USCG Station in Lake Worth, Florida. The USCG took possession of the eight undocumented migrants aboard the vessel from PBSO. The seven passengers will be repatriated. NEWTON was held for questioning. None of the migrants had any authorization to enter the United States.

6. On September 15, 2024, at approximately 1015 hours, HSI Special Agents interviewed NEWTON at the U.S. Border Patrol Station in West Palm Beach, Florida. NEWTON was read his rights in accordance with *Miranda* and agreed to answer questions without an attorney present. NEWTON told agents that he has a bounty on him in the Bahamas for a situation involving missing or stolen guns and money and that he wants to live and remain in the United States.

7. NEWTON stated that he was the captain of a small vessel that departed from the West End in the Bahamas on Friday, September 13, 2024, at approximately 2300 hours. NEWTON claimed that he was not paid for the trip and that he stole the boat to travel to the U.S. NEWTON stated that his friend "Chino" asked him to bring them (the migrants) to the U.S. for him. NEWTON stated that he used the GPS on his phone for navigation and that the trip took approximately four hours. NEWTON admitted to throwing his phone overboard when he was encountered by the police deputies. NEWTON told agents that there were life vest and drinking water aboard the vessel for the migrants. NEWTON denied ever coming to the U.S prior to this trip and stated that he does not have travel documents to enter or remain in the U.S.

CONCLUSION

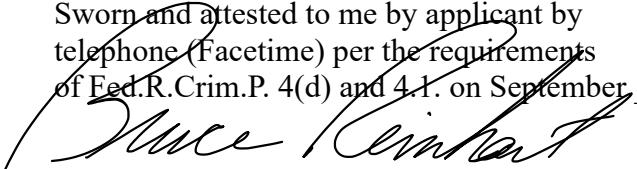
8. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about September 14, 2024, Meshack NEWTON committed the offense of encouraging and inducing an alien to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entering, and residence would be in violation of the law, in violation of Title 8, United States Code, Section 8 U.S.C. 1324(a)(1)(A)(iv).

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Scott Partin

SCOTT PARTIN
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn and attested to me by applicant by telephone (Facetime) per the requirements of Fed.R.Crim.P. 4(d) and 4.1. on September 15, 2024.


BRUCE E. REINHART
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: MESHACK NEWTON

Case No.: _____

Count #1:

Encouraging and inducing an alien to come to, enter, and reside in the United States, in violation of Title 8, United States Code, Section 8 U.S.C. 1324(a)(1)(A)(iv)

* **Max. Term of Imprisonment:** 5 years

* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

* **Max. Supervised Release:** 3 years

* **Max. Fine:** \$250,000

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**